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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,172	02/27/2004	Shin-ichi Uehara	Q80096	4907
23373	7590	07/12/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			FINEMAN, LEE A	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

A

Office Action Summary	Application No. 10/787,172	Applicant(s) UEHARA ET AL.	
	Examiner Joshua L. Pritchett for Lee Fineman	Art Unit 2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 6-14 and 17-42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 15, 16 and 43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to Amendment filed April 18, 2006. Claims 1, 4, 5 and 16 have been amended and claim 43 has been added as requested by the applicant.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Eichenlaub, US 5,500,765 (henceforth Eichenlaub (765)).

Regarding claim 1, Eichenlaub (765) discloses in fig. 5 an image display device, (100) comprising: a display panel (112) which has a plurality of pixel sections (122) each of which includes at least a pixel displaying an image for the first viewpoint and a pixel displaying an image for the second viewpoint, said pixel sections being provided periodically in one direction (see column 4, line 59-column 5, line 7); and an optical unit (118) refracts the light emitted from said pixels and emits the light in directions different from each other (column 6, lines 46-53), and a fixing unit (hinge, not shown in fig. 5, see fig. 1) which is provide on at least a part of an area

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enclosing an image display area of said display panel, said fixing unit fixes said optical unit to said display panel (column 6, lines 56-58).

Regarding claim 3, Eichenlaub (765 further discloses wherein said optical unit is a lenticular lens (1 18) having a plurality of semicylindrical lenses (fig. 5A), longitudinal direction of which is perpendicular to said one direction (fig. 5), and said fixing unit (hinge, not shown in fig. 5, see fig. 1) is provided along the side extending in a direction orthogonal to the longitudinal direction of said semicylindrical lens in said optical unit.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 15 and 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eichenlaub '765.

Regarding claim 2, Eichenlaub '765 discloses the claimed invention except for the rearrangement of said fixing unit to be provided along the side extending in the longitudinal direction of said semicylindrical lens in said optical unit. It would have been obvious to one having ordinary skill in the art at the time the invention was made to rearrange the fixing unit to be provided along the side extending in the longitudinal direction of said semicylindrical lens in

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said optical unit, since it has been held that a mere rearrangement of an element without modification of the operation of the device involves only routine skill in the art. One would have been motivated to rearrange the fixing unit to be provided along the side extending in the longitudinal direction of said semicylindrical lens in said optical unit for the purpose of preventing accidental/unwanted closures of the lens sheet due to gravity. *In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950).

Regarding claims 15 and 43, Eichenlaub (765 further discloses wherein said optical unit is a lenticular lens (1 18) having a plurality of semicylindrical lenses (fig. 5A), longitudinal direction of which is perpendicular to said one direction (fig. 5), and said fixing unit (hinge, not shown in fig. 5, see fig. 1) is provided along the side extending in a direction orthogonal to the longitudinal direction of said semicylindrical lens in said optical unit.

Claims 4-5 and 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eichenlaub '765 in view of Eichenlaub, US 5,410,345 (henceforth Eichenlaub :345).

Regarding claim 5 and 16, Eichenlaub '765 further discloses wherein the optical unit is a fly-eye lens having a plurality of convex lenses (column 6, lines 48-49) but is silent to the lens pitch in said one direction and the lens pitch in a direction perpendicular to said one direction are equal to each other. Eichenlaub '345 teaches in fig. 13 that fly-eye lenses (178) with the lens pitch in said one direction and the lens pitch in a direction perpendicular to said one direction are equal to each other are a well known lens array in the stereoscopic art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a fly-eye lens with the lens pitch in said one direction and the lens pitch in a direction perpendicular to said one

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direction are equal to each other as taught by Eichenlaub '345 in the system of Eichenlaub '765 as they are commonly available and easy to obtain type of lens array. Therefore, said fixing unit (hinge, not shown in fig. 5, see fig. 1) is provided along the side orthogonal to the short side of said optical unit.

Regarding claim 4, Eichenlaub '765 in view of Eichenlaub '345 as set forth above discloses the claimed invention except for the rearrangement of said fixing unit to be provided along a short side of said optical unit. It would have been obvious to one having ordinary skill in the art at the time the invention was made to rearrange the fixing unit to be provided along a short side of said optical unit, since it has been held that a mere rearrangement of an element without modification of the operation of the device involves only routine skill in the art. One would have been motivated to rearrange the fixing unit to be provided along a short side of said optical unit for the purpose of preventing accidental/unwanted closures of the lens sheet due to gravity. *In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950).

Response to Arguments

Applicant's arguments, see Amendment, filed April 18, 2006, with respect to objection to the drawings have been fully considered and are persuasive. The objection of the drawings has been withdrawn. Applicant has added new drawings and amended the specification to overcome the objection

Applicant's arguments, see Amendment, filed April 18, 2006, with respect to objection to claims 4, 5, 15 and 16 have been fully considered and are persuasive. The objection of claims 4, 5, 15 and 16 has been withdrawn. Applicant has amended claims 4, 5 and 16 to overcome the rejection and the applicant argued claim 15 further limits claim 2. The examiner agrees.

Applicant's arguments filed April 18, 2006 have been fully considered but they are not persuasive.

Applicant argues Eichenlaub '765 fails to teach the fixing unit provided on a part of an area enclosing an image display panel. The hinge (6) of Eichenlaub '765 appears to be on border (12) of the display panel (Fig. 1). The border (12) encloses the display panel which is the area covered by sheet (16).

Applicant argues if the hinge (6) were placed within the border the the sheets (16 and 18) would not align properly. The claim language only requires the fixing unit (6) to be located "on" a part of an area enclosing an image display area. The examiner interprets Fig. 1 as showing the hinge (6) "on" the border (12) which encloses the display area.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua L. Pritchett whose telephone number is 571-272-2318. The examiner can normally be reached on Monday - Friday 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew A. Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joshua L Pritchett 
Examiner
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DREW A. DUNN
SUPERVISORY PATENT EXAMINER